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Governor's Office of
General Counsel

June 11, 2002

Clerk of Court
United States District Court
Middle District of Pennsylvania
Federal Building
228 Walnut Street, Room 1060
Harrisburg, PA 17108

Re: Ober v. Evanko, et al.
No. 1:CV-01-0084

Dear Sir or Madam:

On May 20, 2002, Defendants' Brief in Support of Defendants' Motion for Summary Judgment was filed with the Court, along with Exhibits to the Brief. In Volume 1 of the Exhibits, in Exhibit No. 10, Affidavit of Marc Infantino, a typographical error occurs on the first page of that affidavit. The date in paragraph 5 currently reads August 20, 1999, but should read August 24, 1999.

Enclosed are an original and two copies of a corrected page 1 of Exhibit 10. Please replace this page with the one filed with the court on May 20, 2002.

Thank you for your assistance in this matter.

Sincerely yours,

A handwritten signature in cursive script, reading "Joanna N. Reynolds".

Joanna N. Reynolds
Assistant Counsel

JNR:vab

Enclosures

Cc: Don Bailey, Esquire

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ORIGINAL

2/2/01

COMMONWEALTH OF PENNSYLVANIA

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: ss.
:

COUNTY OF DAUPHIN

1-cv-01-0084
J. (ad.)

AFFIDAVIT OF MARC J. INFANTINO

FILED
HARRISBURG, PA
JUN 12 2002

MARY E. D'ANDREA, CL
Per gfk
Deputy Clerk

I, MARC J. INFANTINO, swear and affirm the following:

1. I am currently the Director of the Fiscal Division in the Bureau of Staff Services, Pennsylvania State Police.

2. I suggested to the Pennsylvania State Police Commissioner that the Department publish a pictorial history of the State Police for the 100th Anniversary of the organization. My suggestion was approved in 1996, and I was advised to formulate a committee, made up of volunteers, to work on the project.

3. I had heard that Captain Darrell Ober collected PSP memorabilia and might be willing to provide pictures of items in his collection for our book. Consequently, I asked Captain Ober if he would volunteer to work on the Centennial Book Committee, and he agreed.

4. Membership on the committee is strictly voluntary. The committee members receive no salary for their work on the committee, although the committee occasionally meets during work hours.

5. On August 24, 1999, the Colonel Evanko informed me that Captain Ober could no longer serve on the committee because he was assigned to an important